

REMARKS

Claims 1-24 are pending. In the previous Office Action, the arguments with respect to claims 1-24 were considered. The Examiner is now presenting new grounds for rejecting claims 1-24. Claims 1-9, 11-19, 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chase (7,092,389) in view of Hava (US 2005/0053079).

Chase describes “As seen in FIG. 5, each of premises 16000.sub.1, 16000.sub.2 and 16000.sub.3 belonging to customer 1, customer 2 and customer 3, respectively, may send frames for receipt at MSP 12000.sub.2 in the MAN 10000. The MSP 12000.sub.2 tags each frame with the corresponding customer descriptor prior to statistically multiplexing the data for transmission on the fiber ring infrastructure 14 to the CO MSP 12000.sub.4 for receipt at the ATM switch 30. The ATM switch 30 then maps each frame to the appropriate PVC in accordance with the customer descriptor 22' in the frame in a manner similar to the mapping described with respect to FIG. 3. Thus, the ATM switch 30 could map the frame to one of Frame Relay recipients' 32.sub.1, 32.sub.2, or 32.sub.3, ATM recipients 32.sub.4 or 32.sub.5 or IMA (Inverse Multiplexing over ATM) recipient 32.sub.6.” (Figure 5 Description)

Hava describes “[0042] If the label is found, the subrouter 123i inserts, swaps, or replaces the VPN label 156 and the forwarding label 158 in place of the tag 152 of the VLAN packet 150 to generate the MPLS packet 154 and sends the MPLS packet 154 to the MPLS network 110 via a line card 128. The MPLS network 110 routes the MPLS packet 154 to the target receive-side edge router 111-114 over the preset route while replacing the forwarding label 158. The line card 128 of the receive-side edge router 111-114 receives an MPLS packet 154 from the MPLS network 110, and a VPN identification unit 129 identifies the VPN by referring to the VPN label 156 of the MPLS packet 154 and inputs the packet to the subrouter 123i (i=1, 2, . . .) that corresponds to the VPN.” [0042]

The Examiner argues that the inner tag is a VLAN priority and VLAN tagid as described in Chase. However, neither the VLAN priority nor the VLAN tagid identify a service provisioned for the customer site as recited in independent claims. Furthermore, even if it is assumed that the Examiner’s argument with respect to this point are correct, neither Chase nor Hava teach or suggest replacing this VLAN priority and VLAN tagid. The Examiner indicates that Chase does not disclose replacing the outer tag and the inner tag with one or more identifiers

for transmission onto the external network. The Examiner explicitly argues that the outer tag value is a VLAN tag 23 and an inner tag value is a VLAN priority and VLAN tagid in the Examiner's characterization of Chase. "The frame (figure 2) having an outer tag value (figure 2, VLAN tag 23) identifying a customer site in a metro Ethernet network, an inner tag values (figure 2, VLAN priority and VLAN tagid, customer descriptor 22)" (Office Action Paragraph 5)

There is no replacing a VLAN priority and VLAN tagid. Only a VPN forwarding labels are replaced. No inner tag identifying a service provisioned for the customer site is replaced.

In light of the above remarks, the rejections to the independent claims are believed overcome for at least the reasons noted above. Applicants believe that all pending claims are allowable in their present form. Please feel free to contact the undersigned at the number provided below if there are any questions, concerns, or remaining issues.

Respectfully submitted,
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